

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 10-2169(DSD/RLE)

William Richard Iverson,

Petitioner,

v.

ORDER

State of Minnesota, and Cal
R. Ludeman, Commissioner of
Human Services,

Respondents.

This matter is before the court upon petitioner William Richard Iverson's pro se objection to the June 1, 2010, report and recommendation of Chief Magistrate Judge Raymond L. Erickson. In his report, the magistrate judge recommends that petitioner's 28 U.S.C. § 2254 petition for a writ of habeas corpus be denied and dismissed without prejudice because petitioner has not exhausted all state court remedies for his claims.

The court reviews the report and recommendation of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3); D. Minn. LR 72.2(b). After a de novo review, the court finds that the report and recommendation of the magistrate judge is well reasoned and correctly disposes of the petition. Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner's objection [Doc. No. 7] to the magistrate judge's report and recommendation is overruled;

2. The magistrate judge's report and recommendation [Doc. No. 6] is adopted in its entirety;

3. Petitioner's application for a writ of habeas corpus [Doc. No. 1] is denied;

4. Petitioner's application to proceed in forma pauperis [Doc. No. 2] and motion to appoint counsel [Doc No. 3] are denied as moot;

5. This action is summarily dismissed without prejudice; and

6. Pursuant to 28 U.S.C. § 2253(c)(1)(A), the court denies a certificate of appealability in this case.

LET JUDGMENT BE ENTERED ACCORDINGLY

Dated: June 17, 2010

s/David S. Doty
David S. Doty, Judge
United States District Court